

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 977

Introduced by Assembly Member Harkey

February 18, 2011

~~An act to amend Section 11910 of the Water Code, relating to water.~~
An act to add Section 71.3 to the Harbors and Navigation Code, relating to harbors and ports.

LEGISLATIVE COUNSEL'S DIGEST

AB 977, as amended, Harkey. ~~Water. Harbors and ports: loans: OC Dana Point Harbor.~~

Existing law authorizes the Department of Boating and Waterways, subject to the approval of the Legislature, to make loans to qualified cities, counties, or districts having the power to acquire, construct, and operate small craft harbors, for the design, planning, acquisition, construction, improvement, maintenance, or operation of small craft harbors and facilities in connection with the harbors, and connecting waterways, if the department finds that the project is feasible.

This bill would require the department to extend until June 30, 2016, all phases of certain loan contracts between the department and the County of Orange, OC Dana Point Harbor.

~~Existing law requires there to be incorporated in the planning and construction of any physical structure to provide for the conservation, storage, regulation, transportation, or use of water, constructed by the state itself or by the state in cooperation with the United States, features, including, additional storage capacity, that the Department of Water Resources determines necessary or desirable for the preservation of fish and wildlife, and necessary or desirable to permit, on a year-round basis,~~

~~full utilization of the project for the enhancement of fish and wildlife and for recreational purposes to the extent that those features are consistent with other uses of the project, if any. In making this determination, existing law requires the department to give full consideration to any recommendations that may be made by the Department of Fish and Game, the Department of Parks and Recreation, the Department of Boating and Waterways, any federal agency, and any local governmental agency with jurisdiction over the area involved.~~

~~This bill would make technical, nonsubstantive changes in this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 71.3 is added to the Harbors and*
2 *Navigation Code, to read:*

3 *71.3. Notwithstanding any other provision of this chapter,*
4 *Section 82, or any contract or agreement to the contrary, all phases*
5 *of the loan contracts between the department and the County of*
6 *Orange, OC Dana Point Harbor, as authorized by _____, and*
7 *administered by the department, shall be extended to June 30,*
8 *2016.*

9 ~~SECTION 1. Section 11910 of the Water Code is amended to~~
10 ~~read:~~

11 ~~11910. There shall be incorporated in the planning and~~
12 ~~construction of each project those features, including, but not~~
13 ~~limited to, additional storage capacity, that the department, after~~
14 ~~giving full consideration to recommendations that may be made~~
15 ~~by the Department of Fish and Game, the Department of Parks~~
16 ~~and Recreation, the Department of Boating and Waterways, any~~
17 ~~federal agency, and any local governmental agency with~~
18 ~~jurisdiction over the area involved, determines necessary or~~
19 ~~desirable for the preservation of fish and wildlife, and necessary~~
20 ~~or desirable to permit, on a year-round basis, full utilization of the~~
21 ~~project for the enhancement of fish and wildlife and for recreational~~
22 ~~purposes to the extent that those features are consistent with other~~
23 ~~uses of the project, if any. It is the intent of the Legislature that~~
24 ~~there shall be full and close coordination of all planning for the~~
25 ~~preservation and enhancement of fish and wildlife and for~~

1 ~~recreation in connection with state water projects by and between~~
2 ~~the Department of Water Resources, the Department of Parks and~~
3 ~~Recreation, the Department of Boating and Waterways, the~~
4 ~~Department of Fish and Game, and all appropriate federal and~~
5 ~~local agencies.~~

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